

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**JOSEPH DICOSOLA,** )  
Individually and on behalf of a class, )

**Plaintiff,** )

V. )

**CAFÉ CENTRAL, INC.**

**Defendant.** )

**Case No. 07 C 6748**  
**Judge Guzman**  
**Magistrate Judge Nolan**

**PLAINTIFF'S UNOPPOSED MOTION TO DISMISS PURSUANT TO SETTLEMENT**

NOW COMES the Plaintiff, Joseph DiCosola, by and through his attorneys, and hereby moves this Honorable Court for the entry of an order dismissing the complaint pursuant to settlement, and to enter the Agreed Order of Dismissal attached hereto as Exhibit A. In support, Plaintiff states as follows:

1. Plaintiff and Defendant have settled the above captioned matter. Plaintiff and Defendant have agreed to the entry of the proposed order that is attached hereto as Exhibit A, which would dismiss the case with prejudice pursuant to the settlement as to the individual claims, but without prejudice as to any class claims, with each party bearing their own costs and fees.

2. Defendant does not oppose this motion as both Plaintiff and Defendant have consummated their Settlement Agreement.

WHEREFORE, Plaintiff respectfully requests that the Court enter the Agreed Dismissal Order attached hereto as Exhibit A, or for any further relief the Court deems just and proper under the circumstances.

Respectfully submitted,

JOSEPH DI COSOLA

By: s/David M. Jenkins  
One of His attorneys

Anthony G. Barone (ARDC No. 06196315)  
David M. Jenkins (ARDC No. 6211230)  
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